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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
09/887,391	06/22/2001	Russell H. Fish III	52803-00001 7165		
7590 02/22/2005			EXAMINER		
Spencer C. Patterson, Esq.			NANO, SARGON N		
Jenkens & Gilchrist, P.C. 1445 Ross Avenue, Suite 3200			ART UNIT	PAPER NUMBER	
Dallas, TX 75202-2799			2157		

DATE MAILED: 02/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary		Applicatio	n No.	Applicant(s)				
		09/887,39	1 '	FISH, RUSSELL F	ł.			
		Examiner		Art Unit				
		Sargon N I		2157				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply								
THE MA - Extension after SIX - If the per - If NO per - Failure to Any repl	RTENED STATUTORY PERIOD FOR RAILING DATE OF THIS COMMUNICATIONS of time may be available under the provisions of 37 OF (6) MONTHS from the mailing date of this communication find for reply specified above is less than thirty (30) days in find for reply is specified above, the maximum statutory to reply within the set or extended period for reply will, by the office later than three months after the patient term adjustment. See 37 CFR 1.704(b).	ON. FR 1.136(a). In no eve on. , a reply within the statu period will apply and will statute, cause the appli	nt, however, may a reply be tim tory minimum of thirty (30) days l expire SIX (6) MONTHS from to cation to become ABANDONEC	ely filed will be considered timely, the mailing date of this co (35 U.S.C. § 133).	mmunication.			
Status								
1)⊠ R	esponsive to communication(s) filed on	25 January 2005	<u>.</u>					
2a)∐ TI	This action is FINAL . 2b)⊠ This action is non-final.							
• -	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
Disposition	of Claims							
4a 5)	laim(s) 1-11, 40 - 50 is/are pending in to) Of the above claim(s) is/are with laim(s) is/are allowed. laim(s) is/are rejected. laim(s) is/are objected to. laim(s) 1-11, 40-50 are subject to restrict Papers e specification is objected to by the Exame e drawing(s) filed on is/are: a)	iction and/or elec	ction requirement.	examiner.				
Ap Re	oplicant may not request that any objection the oplicant may not request that any objection the oplicement drawing sheet(s) including the content or declaration is objected to by the	o the drawing(s) be orrection is require	e held in abeyance. See ed if the drawing(s) is obj	37 CFR 1.85(a). ected to. See 37 CF				
Priority und	der 35 U.S.C. § 119							
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: Certified copies of the priority documents have been received. Certified copies of the priority documents have been received in Application No Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 								
Attachment(s)								
	f References Cited (PTO-892)		4) Interview Summary	(PTO-413)				
2) Notice o	f Draftsperson's Patent Drawing Review (PTO-94 ion Disclosure Statement(s) (PTO-1449 or PTO/So(s)/Mail Date		Paper No(s)/Mail Da 5) Notice of Informal Pa 6) Other:	te	-152)			

Application/Control Number: 09/887,391

Art Unit: 2157

DETAILED ACTION

1. This action is responsive to restriction /election received on Jan. 25, 2005. Claims 1- 11 and 40 - 50 were elected to be examined. In response to election of claims 1 - 11 and 40 - 50, further restriction deemed necessary.

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 1-11, drawn to sending messages throughout hierarchy to neighboring processors, classified in class 709, subclass 207.
- II. Claims 40 50, drawn to integrating computers with a network, classified in class 709, subclass 250.

Because these inventions are distinct for the reasons given above and the search group required for Group I is not required for group II, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Applicant is reminded that upon the cancellation of claims to non-elected inventions, the inventorship must be amended in compliance with 37CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under #& CFR 1.48(b) and by the fee required under CFR 1.17(i).

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Applicant is reminded to provide the "Other Document" references that are mentioned in the Information disclosure citation sheet for thorough examination

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sargon N Nano whose telephone number is (571) 272-4007. The examiner can normally be reached on Monday – Friday from 8:30 – 5:30

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272- 4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sargon Nano Patent examiner / Art Unit 2157 2/16/05

> SALEH NAJJAH PRIMARY EXAMINER